IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 28TH NOVEMBER 2006 / 7TH AGRAHAYANA 1928

WP(C).No. 31460 of 2006(T)

PETITIONER:

M.S.SAJEEVAN, M.S.HOUSE,
(VANNARKANDIYIL) P.O.VALAYAM,
KOZHIKODE-673 517.

BY ADV. SRI.T.A.SHAJI
SMT.T.V.NEEMA

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR, KOZHIKODE.

3. THE HEADMASTER, GOVERNMENT GANAPATH U.P.SCHOOL, POKKUNNU.

R1 & R2 BY GOVT. PLEADER (SHRI A. J. VARGHESE)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C NO. 31460 OF 2006 T

Dated this the 28th November, 2006

JUDGMENT

Petitioner challenges Ext.P1. It is an order of suspension. Learned Government Pleader submits that an appeal will lie under Rule 22 of the Kerala Civil Services (Classification, Control & Appeal) Rules, before the Director of Public Instruction. In such circumstances, I feel that petitioner should be relegated to approaching the appellate authority under Rule 22 of the Rules. I am sure that the appellate authority will apply its mind in a fair manner and pass appropriate orders in the interest of justice and in accordance with law. Accordingly, if the petitioner files an appeal before the Director of Public Instruction within two weeks from today, the Director of Public Instruction will consider the same and pass orders thereon in accordance with law, within a further period of three weeks, after hearing affected parties.

The Writ Petition is disposed of as above.

K. M. JOSEPH, JUDGE

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